

REMARKS

Claims 1, 3-6, 8-15, and 17-21 are all the claims presently pending in the application. Claims 1, 6, 11 and 20 have been amended to more particularly define the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1 and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Robinson (GB 2129176). Claims 3-6, 8-12, 14, and 17-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson, and further in view of Lemelson (U.S. Patent No. 4,189,712). Claims 13 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Robinson.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention (e.g., as defined in claim 1) is directed to an authorization control system for personal use of selected devices. The authorization control system includes a signal provider for outputting signals representing a personal code data and a signal receive interface for receiving a signal that is connected to a device which requires proper authorization to use. A signal path between the signal provider and the signal receive interface may include a user's body (e.g., see Application at page 3, lines 8-16). The signal delivery interface is capacitively coupled to the signal receive interface (e.g., see Application at page 6, lines 12-14). This feature makes it unnecessary to provide measures to avoid interfering radiated signals. Further, a user may wear protective clothing (e.g., gloves) without interfering with a radiated signal.

Control systems for controlling the use of firearms are necessary where many people possess firearms for defending themselves. As the number of firearms sold increases, the risk of unauthorized use of the firearms also increases. A conventional solution to this problem is

to lock the firearms in a secure place. This solution is not satisfactory because it is often easy to find and access the firearm, even in a secured place.

The claimed invention, on the other hand, provides an efficient authorization control system for personal use of selected devices that includes a signal provider for outputting signals representing a personal code data and a signal receive interface for receiving a signal that is connected to a device which requires proper authorization to use. A signal path between the signal provider and the signal receive interface may include a user's body (e.g. see Application at page 3, lines 8-16). The signal delivery interface is capacitively coupled to the signal receive interface (e.g., see Application at page 6, lines 12-14). This feature makes it unnecessary to provide measures to avoid interfering radiated signals. Further, a user may wear protective clothing (e.g., gloves) without interfering with a radiated signal.

II. THE 35 USC §112, SECOND PARAGRAPH REJECTION

Claims 1, 3-5, 8, 11-15, 17-19, and 21, stand rejected under 35 U.S.C. §112, second paragraph. The claims have been amended, above, to overcome this rejection.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. THE PRIOR ART REFERENCE

A. The Robinson Reference

The Examiner alleges that Robinson teaches the claimed invention of claims 1 and 15. The Examiner further alleges that the claimed invention of claims 13 and 21 would have been obvious in view of Robinson. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by Robinson.

That is, Robinson does not teach or suggest that "*the signal delivery interface is capacitively coupled to the signal receive interface*" as recited in claim 1, and similarly recited in claims 6, 11, 15 and 20.

As noted above, unlike conventional authorization control systems, the invention of exemplary claim 1 provides an efficient authorization control system for personal use of

selected devices that includes a signal provider for outputting signals representing a personal code data and a signal receive interface for receiving a signal that is connected to a device which requires proper authorization to use. A signal path between the signal provider and the signal receive interface may include a user's body (e.g. see Application at page 3, lines 8-16). The signal delivery interface is capacitively coupled to the signal receive interface (e.g., see Application at page 6, lines 12-14). This feature makes it unnecessary to provide measures to avoid interfering radiated signals. Further, a user may wear protective clothing (e.g., gloves) without interfering with a radiated signal.

Clearly the novel features of the claimed invention are not taught or suggested by Robinson. Indeed, the Examiner attempts to rely on page 2, column 1, lines 1-5 of Robinson to support his allegations. The Examiner, however, is clearly incorrect.

Nowhere, in this passage (nor anywhere else for that matter) does Robinson teach or suggest a signal delivery interface that is capacitively coupled to the signal receive interface. This passage in Robinson merely teaches that the return path (18) for the signal represents a capacitive link between the chassis (20) of the control unit and the watch bracelet (22). Robinson does not teach or suggest a capacitive coupling between the delivery interface and the signal receiving interface, but rather a realization of the return path by capacitive coupling.

Furthermore, Robinson discloses a personnel identification system based on the combination of the electric conductivity of the human body and a touch sensitive contact plate or switch. The personnel identification system consists of two basic elements, identification and the avoidance of involuntary triggering.

The arrangement of Robinson does not provide the needed safety against involuntary action. Thus, if a person is properly identified and touches the touch-sensitive panel, which is in no way made impossible in Robinson's arrangement, the related action will be triggered even if it should not be (e.g., accidentally). Robinson discloses "*no conscious act such as the operation of a separate push button or the insertion of a card in a card reader is required*".

In conventional working devices, measures to prevent against this kind of occurrence (e.g., with or without identification) are numerous and may include push buttons with

threshold pressure values which must be consciously operated. Thus, Robinson includes voluntary triggering and identification under one action. These measures can be equally achieved by other means (e.g. inserting an identity badge into a slot, by transponder technology, iris/voice recognition, or near field technology as in the Personal Area Network (PAN) described in the specification).

However, in Robinson, the signals are transmitted by electrical conduction through the wearer's body. That is Robinson discloses the watch (10) includes a transmitter for transmitting the identification code as a modulated alternating signal by electrical conduction through the wearer's body to the touch element (12), so as to provide resistance to interfering radiated signals (e.g., see Abstract of Robinson).

Conversely, the PAN technology, of the claimed invention, is based on the principle of electrostatic, capacitive coupling. With such a principle, this makes it unnecessary to provide measures to avoid interfering radiated signals.

In contrast, such measures are an essential part of the Robinson patent. That is, since Robinson depends on the conductivity of the human body, direct contact between the touch element and the human finger is essential. Thus, in Robinson a glove could interrupt the electrical contact and as a result, a signal transmission. The ability to wear a glove during use of the claimed invention is an essential advantage.

Therefore, Applicant submits that there are elements of the claimed invention that are not taught or suggest by Robinson. Therefore, the Examiner is respectfully requested to withdraw this rejection.

B. The Lemelson Reference

The Examiner alleges that Lemelson would have been combined with Robinson to teach the claimed invention of claims 3-6, 8-12, 14 and 17-20. Applicant submits, however, these references would not have been combined and, even if combined, would not teach or suggest every element of the claimed invention.

Applicant submits that the Examiner can point to no motivation or suggestion in the references to urge the combination as alleged by the Examiner. Indeed, the Examiner merely

states that it would have been obvious to use a finger ring for the authorization control in Robinson because the use of a finger ring for authorization control is suggested by Lemelson. However, contrary to the Examiner's allegations none of these references teach or suggest their combination. Robinson is directed to a personal identification system for controlling access to restricted equipment of areas. Lemelson is directed to a system for easily closing a switch to control the operation or starting of a machine, or the locking and unlocking of a door and is completely unrelated to the claimed invention. Furthermore, each of the cited references are directed to solving completely unrelated problems. Therefore, Applicant respectfully submits that one of ordinary skill in the art would not have been so motivated to combine the references as alleged by the Examiner. Therefore, the Examiner has failed to make a prima facie case of obviousness.

Moreover, contrary to the Examiner's allegations, neither Robinson nor Lemelson, nor any combination thereof, teaches or suggests that "*the signal delivery interface is capacitively coupled to the signal receive interface*" as recited in claim 6, and similarly recited in claim 20.

Clearly, the novel features of the claimed invention are not taught or suggested by Lemelson. Indeed, the Examiner merely attempts to rely on Lemelson as allegedly suggesting a finger ring for a device authorization control system. The Examiner relies on Figure 1 and the Abstract of Lemelson to support his allegations.

Nowhere, however, in this passage (nor anywhere else for that matter) does Lemelson teach or suggest a signal delivery interface that is capacitively coupled to the signal receive interface. Indeed, the Examiner does not even allege that Lemelson teaches this limitation.

Therefore, Applicant submits that there are elements of the claimed invention that are not taught or suggested by Lemelson. Therefore, the Examiner is respectfully requested to withdraw this rejection.

IV. FORMAL MATTERS AND CONCLUSION

In response to Examiner's objections, the claims have been amended in a manner believed fully responsive to all points raised by the Examiner.

In view of the foregoing, Applicant submits that claims 1, 3-6, 8-15, and 17-21, all of

Serial No. 09/393,274
Docket No. GE998-038
YOR.102

13

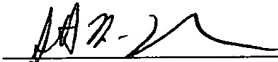
the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: June 17, 2004



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254